

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

ELTON A. GUTURA, #16596-078 §

VS. § CIVIL ACTION NO. 4:13cv451

UNITED STATES OF AMERICA §

ORDER OF DISMISSAL

This case was referred to United States Magistrate Judge Don D. Bush. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the court.

It is therefore

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**ORDERED** that the motion to vacate, set aside or correct sentence is **DISMISSED** without prejudice. It is further

**ORDERED** that all motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED** this the 5th day of September, 2014.

Richard A. Schell  
RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE